UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

LORI JOHNSON a/k/a LOU ANN JOHNSON,

:

Plaintiff,

No. 1:11-cv-02719-ENV-RER

RETRIEVAL MASTERS CREDITORS

BUREAU, INC.,

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**ANSWER** 

Defendant.

The defendant, Retrieval Masters Creditors Bureau, Inc., ("RMCB"), by and through the undersigned counsel, for its Answer to the Complaint herein, hereby denies each and every averment, except as expressly stated below, as follows:

- 1. Admits this purports to be an action under the FDCPA and NYGBL § 349, denies liablity thereunder and otherwise denies the allegations of this Paragraph 1.
  - 2. Admits.
  - Admits.
  - 4. Denies.
  - 5. Admits.
- 6. Admits that Defendant sent a letter to plaintiff dated June 21, 2010.

  Denies the remainder of the allegations of this Paragraph 6 as stated and refers to the letter for the content thereof.
  - 7. Denies as stated and refers to the letter for the content thereof.

- 8. Admits that defendant sent a letter to the plaintiff dated July 26, 2010, and otherwise denies the remaining allegations of this Paragraph 8 and refers to the letter for the content thereof.
  - 9. Denies as stated and refers to the letter for the content thereof.
- 10. Admits that defendant sent a letter to the plaintiff dated October 4, 2010, and otherwise denies the remaining allegations of this Paragraph 10 and refers to the letter for the content thereof.
  - 11. Denies as stated and refers to the letter for the content thereof.
  - 12. Admits.
- 13. Defendant repeats and realleges the answers to Paragraphs 1 through 12 of the Complaint as its answers to this Paragraph 12 as though fully set forth herein.
  - 14. Denies.
  - 15. Denies.
  - 16. Admits.
  - 17. Denies.
  - 18. Denies.
  - 19. Denies.
  - 20. Denies.
- 21. Defendant repeats and realleges the answers to Paragraphs 1 through 19 of the Complaint as its answers to this Paragraph 20 as though fully set forth herein.
  - 22. Denies.

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- 24. Denies.
- 25. Denies.
- 26. Denies.

## **First Affirmative Defense**

The plaintiff's claims are barred, in whole or in part, due to the plaintiff's failure to state a claim.

## **Second Affirmative Defense**

Plaintiffs' claims are barred to the extent that any violation of the Fair Debt

Collection Practices Act by defendant, which defendant denies, was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.

August 16, 2011 DEFENDANT
RETRIEVAL MASTERS CREDITORS
BUREAU, INC.

By: \_\_\_\_\_<u>/s/</u>
Jonathan D. Elliot

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Its Attorney

## **CERTIFICATE OF SERVICE**

I hereby certify that on August 16, 2011, a copy of the foregoing was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system [or by mail to anyone unable to accept electronic filing]. Parties may access this filing through the Court's system.

/s/	
Jonathan D. Elliot	